

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

G.M., ON BEHALF OF HER MINOR CHILD, B.M.,

Plaintiffs,

v.

No. CIV 13-00049 JAP/KBM

**BERNALILLO COUNTY SHERIFF
SCHOOL RESOURCE OFFICER CASALDUC,**

Defendant.

**STIPULATED PROTECTIVE ORDER
REGARDING B.M.'s JUVENILE PROBATION RECORDS**

THIS MATTER came before this Court on Defendant Casalduc's Motion Directing the Children, Youth and Families Department to Produce Plaintiff B.M.'s Juvenile Probation Records [*Doc. 24*], the New Mexico Children, Youth and Families Department's Objections to and Motion to Quash Subpoena [*Doc. 30*], and the New Mexico Children, Youth and Families Department's Motion for Protective Order [*Doc. 37*]. This Court reviewed the Motions and arguments made therein as well as the arguments made at the September 16, 2013 hearing and considered that all the parties to this litigation do not oppose the production of B.M.'s juvenile probation records under a protective order. Accordingly, this Court finds that Defendant Casalduc's Motion Directing the Children, Youth and Families Department to Produce Plaintiff B.M.'s Juvenile Probation Records is well-taken and should be granted. The Court will further grant in part the Children, Youth and Families Department's Motion for Protective Order, requiring the production of B.M.'s juvenile probation records pursuant to this Stipulated

Protective Order.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that:

- A. Defendant Casalduc's Motion Directing the Children, Youth and Families Department to Produce Plaintiff B.M.'s Juvenile Probation Records is hereby granted;
- B. The Children, Youth and Families Department's Motion for Protective Order is hereby granted in part;
- C. The Court orders the Children, Youth and Families Department to produce B.M.'s juvenile probation records, to include all related social records, behavioral health screenings, diagnostic evaluations, psychiatric reports, medical reports, social studies reports, records from local detention facilities, client-identifying records from facilities for the care and rehabilitation of delinquent children, pre-parole or supervised release reports and supervision histories obtained by the juvenile probation office, parole officers and the juvenile public safety advisory board or in possession of the Children, Youth and Families Department within 14 days of entry of this order.
- D. All parties and their attorneys shall hold B.M.'s juvenile probation records in the strictest of confidence, store the files securely, and use the files solely for the purposes of this litigation;
- E. All parties and their attorneys shall not disclose or produce B.M.'s juvenile probation records to any non-party at any time except for experts retained by the parties in this matter and for use as exhibits at trial;

F. All parties and their attorneys shall limit access to B.M.'s juvenile probation records to those qualified persons (attorneys, associates, staff/employees who are working on the litigation, and their experts) who are authorized to receive the files under the Protective Order;

G. If any document from B.M.'s juvenile probation records covered by this Order is appended to a pleading in the on-going case, that pleading shall be filed under seal.

H. All parties and their attorneys shall return to the Children, Youth and Families Department B.M.'s juvenile probation records produced under the Protective Order within thirty (30) days of the resolution of this case;

I. All parties and their attorneys shall purge all copies of B.M.'s juvenile probation records from their files at the resolution of the lawsuit; and

J. The Children, Youth and Families Department shall make Probation and Parole Officer Amanda Trujillo available for a two (2) hour deposition which will take place on the date, time, and location specified in her Subpoena and Notice of Deposition.



The Honorable Karen B. Molzen
United States Chief Magistrate Judge

SUBMITTED BY:

ROBLES, RAEL & ANAYA, P.C.

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